

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
RFD Communications, Inc.)	MB Docket No. 06-92
DBS Set-Aside Qualifications)	

OPPOSITION TO MOTION

Farm Journal, Inc. ("Farm Journal"), by counsel, hereby opposes the Motion filed by RFD Communications, Inc. ("RFD-TV") on May 22, 2006 to extend the Comment and Reply Comment deadlines by thirty days. In its Motion, RFD-TV claims it needs *more time* to respond to the Farm Journal's Petition and to certain questions that it claims were raised by the FCC staff on May 16th.

It is absurd in the extreme for RFD-TV to now claim that it needs more time to address its failure to comply with Congressional mandates and Commission rules. Five and one-half years ago, RFD-TV acknowledged the commercial programming prohibition in its application for Section 501(c)(3) status. More than a year ago, Farm Journal brought its concerns about RFD-TV's commercial conduct to RFD-TV's attention. Six months ago, RFD-TV received a copy of the Petition for Declaratory Ruling that Farm Journal submitted to the Commission. One month ago, the Media Bureau released a Public Notice soliciting Comments on the Petition. One week ago, RFD-TV's counsel met with the Bureau's staff to discuss the issues raised by the Petition.

In the past four weeks, roughly 150 Comments were filed with the FCC. No party has claimed to need more time, even though none enjoyed the advance notice about these issues that RFD-TV has enjoyed. The overwhelming majority of the Comments apparently stem from an email campaign, orchestrated by RFD-TV or one of its commercial customers, that falsely accused the FCC and Farm Journal with scheming to "take away" RFD-TV. Consequently, RFD-TV had ample time to prepare Comments by yesterday's deadline, and the Bureau should not reward RFD-TV for its decision not to file Comments under the same time constraints that everyone else faced.

If the FCC staff in fact propounded questions to RFD-TV in its meeting – questions that RFD-TV did not disclose in its *ex parte* notice or its Motion – RFD-TV could have filed Comments yesterday and supplemented them with responses to the FCC staff's questions on June 6, when Reply Comments are due, or thereafter through an *ex parte* submission. The FCC's staff's questions provide no excuse for skipping the Comment filing deadline, nor do they justify granting RFD-TV a total of *45 days* to review the Comments that were timely filed within 30 days of the Public Notice.

The public interest requires expeditious action by the Bureau and immediate, full compliance by RFD-TV. The public interest would not be served by affording RFD-TV more time to continue its commercial broadcasts on Congressionally reserved noncommercial DBS channels.

We respectfully request that the Bureau deny the Motion.

Respectfully submitted,

FARM JOURNAL, INC.

By: /s/ John R. Feore, Jr.

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May 23, 2006

CERTIFICATE OF SERVICE

I, Kevin P. Latek, do hereby certify that on this 23rd day of May 2006, I caused a copy of the foregoing "Opposition to Motion" to be served on the following via electronic mail:

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